IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10585 of 1998

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BABUJI VAKTAJI DABHI

Versus

STATE OF GUJARAT

Appearance:

MR HARIN P RAVAL for Petitioner No. 1

GOVERNMENT PLEADER for Respondent No. 1-3

RULE SERVED for Respondent No. 4

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

ORAL JUDGEMENT

1. The petitioner was elected as Sarpanch of Rajpur Gram Panchayat. A show-cause notice under section 57(1) of Gujarat Panchayats Act, 1993 was issued to him, which was later on withdrawn. Subsequently a notice under section 57(2) of the said Act was issued to the

petitioner and thereafter he was removed from the post of Sarpanch of Rajpur Gram Panchayat under section 57(1) of the Act. The said Decision of the District Panchayat was challenged before the Secretary, Rural Housing and Rural Development, who rejected the said appeal on 26th November 1998. The said decision was challenged by the petitioner in the present proceedings.

2. This Court, while issuing notice had not protected the petitioner and thereafter the matter was admitted on 3rd February 1999. Since the petitioner was elected as Sarpanch in June 1995 and the term of the Sarpanch is five years, the present petition has become infructuous. Accordingly the petition is disposed of as having become infructuous. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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